IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.2987 OF 2004

Shri Appasaheb Antobe Gore & Ors. : Petitioners

V/s.

The State of Maharashtra & Ors. : Respondents

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Mr.A.Y.Sakhare, Senior Advocate, with Mr.S.S.Aradhye and Monika Khade for the petitioners.

Mrs.V.Mhaispurkar, Asstt. Govt. Pleader, for the respondent nos.1 and 2.

Mr.R.R.Soni for the respondent nos.3 to 5.

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CORAM : S.A. BOBDE, J.

September 6, 2005.

P.C.:

1. Rule, returnable forthwith.

Mrs.Mhaispurkar, learned Asstt. Govt. Pleader for the respondent nos.1 and 2 and Mr.Soni for the respondent nos.3 to 5, appear and waive service of rule.

Heard by consent.

2. The petitioners have challenged the order of the Secretary and Officer on Special Duty (Appeals) dated

9.12.2003 dismissing their revision.

3. The petitioners claim to have come into possession of survey no.213/1 in pursuance of the consolidation scheme which is sanctioned in the year 1973 for village Pal, taluka Karad, dist. Satara. According to them, they are in possession of land admeasuring 1.64 hectares out of gat no.630 from the time of their ancestors. Therefore, after a period of 20 years, they applied on 14.3.1996 for amendment to the scheme and handing over the aforesaid area of 1.64 hectares to them. This has been rejected by the authorities on the ground that the petitioners have inordinately delayed the making of this application. The delay is indeed about 23 years. There is no error of law apparent on the face of the impugned order.

4. Accordingly, the rule is discharged.

S.A. BOBDE, J.